**HIGH COURT OF UTTARANCHAL AT NAINITAL.**

**Writ Petition No. 1326 (S/S) 2005**

Beni Ram Verma S/o Sri Ram Bharose Lal Verma,
Cadre Secretary,
Attached in the office of District Assistant Registrar,
Co-operation Societies, Uttaranchal,
Udham Singh Nagar. ----Petitioner.

Vs.

1. Member Secretary,
   District Administrative Committee/
   District Assistant Registrar,
   Co-operation Societies, Uttaranchal,
   Udham Singh Nagar,
2. Sri Himmat Singh Mewari,
   Addl. District Co-operative Officer,
   Gadarpur, Udham Singh Nagar. ----Respondents.

Sri Manoj Tewari, learned counsel for the petitioner.
Learned Standing Counsel for the respondent no. 1.

**Hon'ble M.M. Ghildiyal, J.**

Heard Sri Manoj Tewari, learned counsel for the petitioner and learned Standing Counsel for the State/ respondent no. 1.

The petitioner, who is a Cadre Secretary in Multipurpose Co-operative Society, Gularbhoj district Udham Singh Nagar, has challenged the order dated 28th May 2005 passed by the Member Secretary, District Administrative Committee/ District Assistant Registrar, Co-operative Societies Uttaranchal, Udham Singh Nagar by which the petitioner was put under suspension on various charges. By the impugned order Sri M.L. Tamta, Addl. District Cooperative Officer, Kashipur was appointed as Inquiry Officer and was directed to prepare charge sheet on the allegations against the petitioner so that the same may be served upon the petitioner after getting it approved from respondent no.1.

Learned counsel for the petitioner has submitted that although the suspension order was passed on 28th May 2005, but no charge sheet has yet been issued to the petitioner. It has been further contended that in the preliminary inquiry, the Inquiry Officer did not find substance prima-facie; in the charges levelled against the petitioner but the Member Secretary vide its impugned order has put him under suspension just to harass the petitioner. Apparently, the action of the respondent is malafide in nature and, as such, the petitioner is entitled to get interim relief.

I have got through the impugned order. Since there are serious allegations legvelled against the petitioner, it is inappropriate for the Court to interfere with the impugned order. However, since the petitioner has been suspended vide order dated 28th May 2005; still no charge sheet has been served upon him. In these circumstances, I think it just and proper to direct the Inquiry Officer to issue charge sheet to the petitioner within a period of three weeks from today and the petitioner shall reply the charge sheet within two weeks thereafter.

The Inquiry Officer shall conclude the inquiry within a month from the date of receipt of the reply from the petitioner. The whole exercise shall be completed prior to 30th November 2005, at any rate. The petitioner shall submit a certified copy of this order before respondent no. 1 within a week from today.

The writ petition is disposed of accordingly.

Let a copy of this order be supplied to the petitioner by Monday next on payment of usual charges.

**(M.M. Ghildiyal, J.)**

September 9, 2005:
NCM: